SOME

THOUGHTS

ON THE

Present State

OF

Printing and Bookselling.

By JOHN HOW.

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BRITISH MUSEUM

SOME

THOUGHTS, &c.

BEfore I ſhall attempt to offer my Propoſals, which I have deſign'd purpoſely to Regulate the preſent Exorbitancy of the *Preſs*, and the unfair Practices too frequently uſed in the *Book-ſelling* Trade, and, for the future, to ſecure a juſt and equitable *Property*, I will beg leave to premiſe a few Things, which, in my Opinion, ſeem neceſſary and reaſonable. After which, I ſhall propoſe ſome *Queries*, which may ſerve to let them into the Secret Injuries tranſacted of late among them; and at the ſame time lay down ſome Arguments to juſtify my ſelf in what I have already done; which will appear to be nothing but the common Practice of the Trade.

I urge then, in the firſt place, that when-ever the Parliament ſhall think fit to ſecure *Property* in *Books* by a Law, then, and not 'till then, will every Man of that Trade be upon an equal Footing, as to Juſt and Equitable Dealing; which they are far from obſerving at this preſent, for many Rea-

ſons. *Firſt*, Becauſe the great Traders can make what Impreſſions of *Books* they pleaſe, and can vend them with as much Eaſe and Privacy as they printed them.

Secondly, They can juſtify their Oppreſſions in the Face of the World, becauſe they are rich.

Thirdly, The ſmall Traders cannot proſecute them for uſurping from them their juſt, equitable, and undoubted Right, becauſe they are poor: Upon which Account, the great Dealers have ingroſs'd the moſt profitable and beſt part of the Trade, and made a *Monopoly* of thoſe Priviledges and Immunities, which were granted by Royal Favour to the Company of *Stationers*, for the common Good of the Whole, and for the particular Advantage and Intereſt of every individual Member of the Community. But it is by theſe Means they have got plentiful Eſtates, to the Prejudice of the General *Society*, and to the utter Ruin and Undoing of many Induſtrious Members, whom they have kept poor, and debarr'd of their equal Share and Proportion of the Profits and Advantages that ought to accrue to the Community in general, tho' their Right to the ſame is as plain, juſt, and indiſputable, as the beſt and richeſt of them; but after all this, they *Phariſaically* wipe their Mouths, and ſay, *They have ſinn'd not.*

Allowing theſe Pretenſions of theirs, it then naturally follows, That if it be no Crime in the Rich to practiſe theſe *Things*, that is, to invade each other's *Right* and *Property*, (for I call that ſo, which is the Right of Purchaſe, to which no Man can lay a better Claim to Lands of Inheritance, or any Thing he poſſeſſes) then it muſt be equally

Juſtifiable

Juſtifiable in the Poor, except Poverty is a Crime, as well as a Misfortune. But if this Practice be criminal, it muſt be allow'd much more ſo in the Rich, who can have no Inducement to it, but a plain bare-fac'd Greedineſs of unlawful Gain, by the Oppreſſion of their Brethren; whereas the poor Man may plead Neceſſity, as an Excuſe more abundantly juſtifiable: The firſt ſeems to do it from a vitious Inclination; the laſt downright Compulſion, becauſe if he does it not, as Affairs now ſtand, he and his Family muſt unavoidably ſtarve. But, perhaps, ſome will ſay, theſe very Men may object and return for Anſwer, *That many of them heretofore had as juſt a Right to the Plea of Neceſſity, as any now.* Which, if allow'd, I think then 'tis very unjuſt in them to endeavour to prevent other Men from getting Money by the ſame Methods that they acquir'd their own Eſtates; and, I doubt not, but all honeſt well-meaning Men are agreed in this, as it ſquares with the Golden Rule, *Do as you would be done by*; or otherwiſe, *Suffer others to do that, which you your ſelves do, and have done before them.*

To proſecute this Argument a little farther, I aſk this Queſtion, How can this Practice of *Printing*, or *Copying* one from another, be a Crime, when there is no written or known Law againſt it? For the Scripture ſays, *Rom.* 4. 15. *Where no Law is, there is no Tranſgreſſion.* To this, ſome may ſay, that there was once a Law againſt it, and then it was certainly a Crime, becauſe a Violation of that Law; and all honeſt Men do, and muſt think it a Breach of the Laws of *Juſtice* and *Equity* ſtill, which are, by the Law of *Nature*, implanted in every Man's Conſci-

ence, as the ſame Apoſtle ſaith of the Heathen World; *For when the Gentiles, which have not the Law, do by Nature the Things contain'd in the Law; theſe having not the Law, are a Law unto themſelves.*

Now, there are a great many People, who have been, and I doubt ſtill are the moſt guilty amongſt us, who are too apt to arraign their Neighbours, and lay this as a heavy and a foul Crime at other Peoples Doors, while their own Houſes are full up to the Roof with the polluted Sheets of other Men's Labours. To theſe, we may juſtly lay St. *Paul*'s Charge to the *Romans*, *Thou that makeſt thy Boaſt of the Law, thro' breaking the Law, diſhoureſt thou God?* And I ought to caution ſome People again, leſt they grow too bold in charging a Sort of Men among us, that we have now to deal with, who account themſelves, and would be thought by others, honeſt Men, tho' when there was a known Law, could not be reſtrain'd from practiſing, even at that Time, the ſame Things they complain of in others, now there is no Law; for the Want of which my humble Service to ———, for I am well ſatisfy'd an Act of Parliament might, e'er this, have been obtain'd for ſecuring Property upon fair and equal Terms; but when private Intereſt is oppos'd to publick Good, the Conſiderations of Honour and Juſtice are commonly laid aſide.

But thoſe Patriots of Liberty and Property to whom this Affair was intruſted, inſtead of farthering the Matter, objected, truly, that if Property was ſecur'd, *Books* would then be ſold dearer, which would manifeſtly injure the Poor, particularly in thoſe *Books* they ſtood in abſolute Need of, as *Bibles*, *Common-Prayer-Books*, *The Whole Duty of Man*,

Man, &c. and they were indeed much in the Right on't, that *Bibles*, &c. would be dearer, for 'tis a Shame to our Nation, and to our Holy Religion, that that ſacred *Book* ſhould be ſo incorrectly printed, barely that ſuch may be ſold at 4 *d.* or 6 *d.* apiece the cheaper, when it would be much more ſatisfactory, and to the Advantage of all, to have thoſe uſeful *Books* aſcertain'd to a living Price, that then they might take Care to have 'em neatly printed, on good Paper, in a legible Character, and well corrected: For Experience ſhews us, that ſince the *Oxford* Printers interfer'd with thoſe of the *Queen's* Printers, we have never had any tolerable Editions, becauſe endeavouring to underſel each other, they have neither of them been capable of ſupplying the Publick with any correct and well-printed *Books*; the like we find in *Holland*, where the *Bible* is printed in every great Town, but with ſo many Faults, 'tis a Scandal to their Country, and ſuch a Prejudice to the Publick, that there is no Dependance to be laid on the Text. Therefore there ought to be ſuch ſufficient Encouragement given to the Printing of the *Bible*, and all uſeful *Books*, ſuch as *School-Books*, and the like, that they may be done well, and yet ſold at a moderate Price. As for the Price of other *Books*, they were never ſold ſo dear, when the Preſs was regulated, as now; and the Reaſon is plain, for then they were not under the Diſcouragement of having 5 *s.* *Books* pirated and ſold for 2 *s.* 6 *d.* and 1 *s.* *Books* frequently for 1 *d.* Beſides, every Author is now at Liberty to print his own Copy, and every other Perſon, tho' not of the Trade, to purchaſe and print it, which is a manifeſt Prejudice to the whole Society.

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Some neceſſary Queries in order to ſhew the preſent State of Property *in Books and Copies; and how it has been, and is now invaded by many of the Trade, who* Pirate *one upon another.*

Q. 1. WHO imported and ſold *Bibles*, *Pſalters*, *Duties of Man*, *Practice of Pieties*, and other *Books*, from *Holland*, when there was an Act of Parliament to the contrary, in King *Charles* the II. Reign, notwithſtanding which, there were great Numbers of the ſaid *Books* diſpos'd of?

Q. 2. Who was it in the ſame Reign, that imported an Impreſſion of *Cowley's* Poems in *Octavo* from *Holland*? And who was the Bookſeller at the ſame Time in *London*, that did not ſell them?

Q. 3. How did the then Company of *Stationers*, who boaſted ſo much of their Loyalty to King *Charles* the II. behave themſelves, when the ſaid Prince granted a Patent to *Eſquire Seamore*, for Printing ſome *Almanacks* and *School-Books*? And how could they anſwer their frequent ſeizing of ſuch *Books* printed by the ſaid Patentee, to God, the King, and their own Conſciences?

Q. 4. Whether the *Oxford* Printers do not invade the Right of the firſt Patentees, and very much prejudice Her Majeſty's Printing-Office? And whether the ſame Priviledge can be given to a ſecond Perſon, without highly injuring the firſt Proprietor?

Q. 5. Whether the Company's Patent is not now a *Monolopy*, ſince it was adjudg'd ſo when *John Gain* caſt them?

Q. 6.

Q. 6. Who was guilty of Piracy in printing a ſmall *Book* the Size of a *Primer*, upon *William Bonny*, and afterwards ſold them at *Stationers-Hall*?

Q. 7. How many Times has a certain *Bookſeller* in *Pater-Noſter-Row* printed *Hool*'s *Accidence* and *Terminations*, which *Books* are the Property of another Man.

Q. 8. How many Times has a certain *Bookſeller* in *L——d-Street*, printed the *Latin-Teſtament*, which Copy a *Bookſeller* in *Pater-Noſter-Row* printed and laid Claim to? And whether after all this, it does not of Right belong to other Perſons?

Q. 9. Whether a certain *Bookſeller* near the Tower, has not made it his common Practice to copy or imitate all *Maps*, *Charts*, *Draughts*, &c. that he thought worth his While, in Prejudice to the Proprietors of 'em?

Q. 10. Whether Mr. *Overton* the *Picture-Seller*, and Mr. *Midwinter*, who marry'd Mr. *Walker*'s Widow, don't print every thing they think worth their while on Mr. *Newton*, and another concern'd with him? And whether Mr. *Newton* does not do the ſame on Mr. *Overton* and *Walker*, and all of 'em, upon other People?

Q. 11. Whether it be fair Practice for a Man to keep the *Oxford Pſalter* ſtill in Print, under the Notion of the old Impreſſion?

Q. 12. Whether it was not a Crime for the ſame Perſon to print the *New-England Primer* upon Mr. *Harris*, and afterwards, upon his Complaint, to employ the ſaid Mr. *Harris* to print *the Aſſemblies-Catechiſm* for him, tho' the Copy of Right belongs to neither of them?

Q. 13.

Q. 13. How many Copies of other Mens has Mr. *Onely* printed, and whether the *Bookſellers* of *London*, particularly thoſe on the *Bridge*, were not his Cuſtomers for the ſaid *Books*?

Q. 14. What Mr. *Keble* recover'd of Mr. *Onely*, when he ſu'd him for *printing* the *Weeks-Preparation*?

Q. 15. What Right any ſingle Man can have to the four Volumes of *State Poems* in *Octavo*, and to the three Volumes of *State Tracts* in *Folio*?

Q. 16. Whether the *printing* of Six-Penny Sermons, Poems, and other Pamphlets for a Penny, by any but the Proprietor, be any more lawful than *printing* a five Shilling *Book* for Half a Crown or a Shilling? And whether one is not as much for the Benefit of the Poor as the other?

Q. 17. Whether the *Bookſellers* that refuſe to ſend a Six-Penny *Book* to their Country Chapmen, and chuſe to ſend the Penny one tho' Pirated, are not plain Encouragers of that Trade, to the Prejudice of Property, and the certain Decay of their own Buſineſs?

Q. 18. Whether the Proprietors of *Hoadley*'s Vindication, would give as many Guineas to ſecure Property, as they gave Mr. *Hill* not to Pirate that Book upon them? And whether they were not rightly ſerv'd in having it afterwards printed upon 'em by Mrs. *Bradford*.

Q. 19. Whether *J. How*, who has for many Years laſt paſt ſpent his Time and Money to ſecure Property, as his Propoſals Printed 1706, to be produc'd upon Occaſion, will ſhew, and as it will farther appear by the following, has not as much Right to get Money in the Way of his Trade by the ſame Methods as others have done?

Some

Some People perhaps will aſk how long I have been of this Opinion, and why I did not practice it ſooner? In Anſwer to which, I ſay 'tis not my Opinion now, for I act againſt my Principle, and am herein an *Occaſional Conformiſt*, made ſo by the Practice of ſome of the greateſt Men of the Trade, and not by the Byaſs of a vitious Inclination; and I hope by this Means to diſcourage ſome from proceeding in this Way, by animating others to engage heartily in the good Work of ſecuring Property by a Law; in Order to which I have form'd Propoſals according to the beſt of my Capacity, for obtaining that Bleſſing, ſo much deſired by

J. How.

PROPOSALS for Securing Property *in* Books, Copies, *&c.*

SInce *Piracy* in *Printing* is become ſo common a Trade, that the Honour of the Nation, and *Property*, as to the Right of *Copies*, ſuffers ſo extreamly, 'tis humbly conceiv'd high Time to apply to the Legiſlature Authority for a ſpeedy Remedy, ſince there is no civiliz'd State, or City in the World, where ſuch an extenſive Liberty is allow'd to any People as in this, where News, and all other ſorts of Papers, are ſuffer'd to be *pirated*, and cry'd about the Streets by a parcel of *Vagabond Hawkers*, to the great Prejudice and Ruin of the juſt Proprietors of ſuch Papers.

For conſidering that all other Trades are ſecur'd in their *Property*, 'tis a hard Caſe that the *Printing* Trade

Trade alone ſhould not be protected equally with others, ſince they run as great Hazards in their way of Buſineſs, as any, in purchaſing of *Copies*, and being at the Charge of *Paper* and *Print*, and after all, the *Pirate Printers* ſhall run away with the Profit and Advantage propos'd by the true Proprietor, who is oblig'd either not to Print at all, or when he does, to be a Loſer; when at the ſame Time, thoſe who never ſerv'd any Apprenticeſhip to the Trade of *Printing*, *Bookſelling*, or the like, ſhall be ſuffer'd not only to print their own *Copies*, but *pirate* others; as is the Practice of one *Ball*, in *Fetter-Lane*, and *Pennock*, in *Pater-Noſter-Row*; beſides thoſe others who uſe the ſcandalous Trade of *Robbing* bare-fac'd, as if protected by a Law, in ſuch a well-govern'd Nation as *Great Britain*, and ſuch a well-conſtituted City as this of *London*, where *Hill* in *Black-Fryars*, *Read* in *White-Fryars*, *Bradford*, and others, are permitted to Rob the reſt of the Trade of their juſt Rights and Properties unpuniſhed.

It is, beſides, a great Diſcouragement to *Learning*, that when a Gentleman has had a thouſand Pounds or more laid out on his Education, and has no Dependance in the World left but his *Learning*, which has coſt him ſo much Time and Money, that he cannot have a Reward for his Labours, becauſe he is unable to make the Buyer any ſecure Title to his *Copy*. And this lowering the Price of *Copies*, makes moſt Authors now negligent of, and beſtow leſs Time on the writing them, which cauſes our *Books* to be the more contemptible, to the Scandal of the Nation: Whereas, if the *Bookſellers* were ſecure in the *Properties* of their *Copies*, according to theſe Propoſals, the Author having better

Pay,

Pay, might afford more Pains, and the Publick, by consequence, have more valuable Books.

It is therefore humbly propos'd, *First*, That all *Booksellers*, *Printers*, *Printsellers*, &c. shall be at Liberty, whether they will enter their *Books*, *Copies*, *Sculptures*, *Maps*, &c. in order to secure their *Property* in the same, (or not) in an Office to be erected for that Purpose, to consist of Commissioners, whereof the Master and Wardens of the Company of *Stationers*, for the Time being, shall always be of the Number, at certain Salaries, to arise from the Profits of the said Office. Provided always, That whomsoever shall think fit not to make an Entry of their *Books* or *Copies* in the said Office, it shall be free and lawful for any *Bookseller* or *Printer* whatsoever, to reprint the said *Books* or *Copies*, how, and in what Manner they shall judge proper, without any Redress, or Remedy, in the Law, to be had or obtain'd, by the first *Printer*, or *Publisher* of the said *Books*, or *Copies*; and that none but a known Master *Printer*, *Bookseller*, or *Printseller*, &c. be admitted to enter any *Books*, *Copies*, *Maps*, *Charts*, *Prints*, *Pictures*, &c.

Secondly, That every Person do pay upon Entry for every half or whole Sheet of Paper to be printed. for every *Pamphlet*, or unbound *Book*; and *per* Sheet for every large or bound *Book*, to be apply'd as the *Parliament* shall direct: And that the same Rates be paid for every *Book* the first time it shall be reprinted after the Commencement of this Act.

Thirdly, That if any Person shall print another Man's *Copy*, *Picture*, *Draught*, &c. that is enter'd in

in the Regiſter of the ſaid Office, the *Commiſſioners* ſhall, upon Application of the *Proprietors*, iſſue out their Warrant to the *Meſſenger*, who, with a *Conſtable*, ſhall ſearch for, and ſeize all ſuch *Counterfeits*, or *pirated Copies*, and ſend them to the Office; and if any are ſold, or offer'd to Sale, that then the Perſon that ſold them, or offer'd them to Sale, ſhall forfeit to the *Proprietor*, or *Proprietors*, 6 *s.* 8 *d.* for every ſuch *Book*, *Pamphlet*, &c. beſides the *Books* themſelves, which ſhall be apply'd to the Uſe of the Office.

Fourthly, That the *Bible*, and *Common-prayer-Book*, be only printed at the Queen's *Printing-Office*, and that a certain reaſonable and moderate Price be aſcertain'd upon all ſuch as they ſhall print; and likewiſe upon the *Grammar*, and other neceſſary *School-Books*, as the *Parliament* ſhall think fit, to prevent the exorbitant and unconſcionable Prizes that otherwiſe the *Proprietors* may fix upon ſuch *Books*, as they know the Publick cannot be without.

Fifthly, That the Prerogative of the Crown, as to *Patents*, &c. the Immunities of the Company of *Stationers*, as depending on that Power, in relation to ſuch *Copies* as they claim, and all other *Copies* ſecur'd by the Royal Authority, be excepted herein.

Sixthly, That no *Bookſeller*, *Printer*, &c. do print, or cauſe to be printed any Part, or Epitomy, or make uſe of, or imitate the Title of any *Book*, *Copy*, *Map*, *Chart*, *Picture*, &c. that are another Man's *Property*, without Leave or Conſent firſt had and obtain'd from the *Proprietor*, in Writing under his Hand, on the Penalty of forfeiting all

ſuch *Books* to be damaſk'd and ſold, and the Money given to the *Proprietor*.

Seventhly, That all Penalties and Forfeitures of Money be awarded by the Commiſſioners, without any further Appeal.

Eighthly, That all Differences and Diſputes about the Properties of any *Copy*, *Picture*, *Map*, &c. ſhall be Try'd and Decided by the Commiſſioners, aſſiſted by the two Wardens, and four Aſſiſtants of the Company of *Stationers*, to be choſe by the Commiſſioners. That the Perſon Caſt, ſhall pay for *Court*-Fees, beſides the Damages to the Party injur'd, as ſhall be adjudg'd by the *Court*; and if the Party ſo caſt and adjudg'd, refuſe to pay the Fees and Damages aforeſaid, that he lie Months in Priſon, without Bail or Main-prize.

Ninthly, That no *Engliſh Books*, printed beyond the Seas, be imported, nor any *Latin Books*, which are the Property of any Perſon in *England*. That no *Books* be imported to any Port, but that of *London*. That one or more of the Commiſſioners, with the Meſſenger, have Power to view all ſuch Parcels, or Bails of *Books*, *Pictures*, *Maps*, &c. at the *Cuſtom-Houſe*, before they are deliver'd to the Perſon to whom they are conſign'd. And if they find any *Books*, *Pamphlets*, *Pictures*, &c. or any Thing of that kind, that is the Property of any Perſon in *Great Britain*, that they ſeize them, ſend them to the Office, have them damaſk'd and ſold, the Money to be apply'd as before.

Tenthly, That the Commiſſioners ſhall not refuſe to enter any *Book*, &c. that ſhall be offer'd them in the manner before-mentioned.

Eleventhly,

Eleventhly, That every *Printer*, or *Bookseller*, &c. be oblig'd to send into the Office, three *Books* in Sheets of every *Copy* they print; one for the *Queen*, and two for the *Universities*.

Twelfthly, No *Book* or *Copy* that is printed by Patent, to pay any thing for Entery.

POSTSCRIPT.

THE reason why I have not been more Particular, and exemply'd at large the many Abuses under which the Bookselling Trade now Languishes, is because there are so many dark and mysterious Practices privately continu'd among the most Considerable Dealers, that, should their clandestine Proceedings be expos'd to the Publick, it would be a Means of encouraging Others, who are, as yet, Ignorant of those private Frauds. But if Occasion requires, instead of those Hints I have here mention'd, I will take care to publish the whole History of Piracy, wherein the World shall see how the Greatest Men of the Trade have rais'd their Estates.

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FINIS.